

Translation

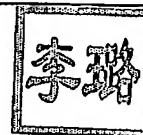
PATENT COOPERATION TREATY

PCT

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY
(Chapter II of the Patent Cooperation Treaty)

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference IPA02010		FOR FURTHER ACTION See Form PCT/IPEA/416	
International application No. PCT/CN02/00577	International filing date (day/month/year) 19 Aug.2002 (19.08.2002)	Priority date (day/month/year) 25 Jul.2002 (25.07.2002)	
International Patent Classification (IPC) or national classification and IPC A63B 33/00 A61F9/02			
Applicant GUANGZHOU VANGUARD PLASTIC&HARDWARE FACTORY et al			
<p>1. This report is the international preliminary examination report, established by this International Preliminary Examining Authority under Article 35 and transmitted to the applicant according to Article 36.</p> <p>2. This REPORT consists of a total of <u>3</u> sheets, including this cover sheet.</p> <p>3. This report is also accompanied by ANNEXES, comprising:</p> <p>a. <input type="checkbox"/> (sent to the applicant and to the International Bureau) a total of _____ sheets, as follows:</p> <p><input type="checkbox"/> sheets of the description, claims and/or drawings which have been amended and are the basis of this report and/or sheets containing rectifications authorized by this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions).</p> <p><input type="checkbox"/> sheets which supersede earlier sheets, but which this Authority considers contain an amendment that goes beyond the disclosure in the international application as filed, as indicated in item 4 of Box No. I and the Supplemental Box.</p> <p>b. <input type="checkbox"/> (sent to the International Bureau only) a total of (indicate type and number of electronic carrier(s)) _____, containing a sequence listing and/or tables related thereto, in computer readable form only, as indicated in the Supplemental Box Relating to Sequence Listing (see Section 802 of the Administrative Instructions).</p> <p>4. This report contains indications relating to the following items:</p> <p><input checked="" type="checkbox"/> Box No. I Basis of the report</p> <p><input type="checkbox"/> Box No. II Priority</p> <p><input type="checkbox"/> Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability</p> <p><input type="checkbox"/> Box No. IV Lack of unity of invention</p> <p><input checked="" type="checkbox"/> Box No. V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement</p> <p><input type="checkbox"/> Box No. VI Certain documents cited</p> <p><input type="checkbox"/> Box No. VII Certain defects in the international application</p> <p><input type="checkbox"/> Box No. VIII Certain observations on the international application</p>			
Date of submission of the demand 24 May.2004 (24.05.2004)		Date of completion of this report 23 Aug. 2004 (23.08.2004)	
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INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No.
PCT/CN02/00577

Box No. I Basis of the report

1. With regard to the language, this report is based on the international application in the language in which it was filed, unless otherwise indicated under this item.

- ☐ This report is based on translations from the original language into the following language _____, which is the language of a translation furnished for the purposes of:
- ☐ international search (under Rules 12.3 and 23.1(b))
 - ☐ publication of the international application (under Rule 12.4)
 - ☐ international preliminary examination (under Rules 55.2 and/or 55.3)

2. With regard to the elements of the international application, this report is based on *(replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report)*:

- ☒ the international application as originally filed/furnished
- ☐ the description:
- pages _____ as originally filed/furnished
- pages * _____ received by this Authority on _____
- pages * _____ received by this Authority on _____
- ☐ the claims:
- pages _____ as originally filed/furnished
- pages * _____ as amended (together with any statement) under Article 19
- pages * _____ received by this Authority on _____
- pages * _____ received by this Authority on _____
- ☐ the drawings:
- pages _____ as originally filed/furnished
- pages * _____ received by this Authority on _____
- pages * _____ received by this Authority on _____
- ☐ a sequence listing and/or any related table(s) - see Supplemental Box Relating to Sequence Listing.

3. ☐ The amendments have resulted in the cancellation of:

- ☐ the description, pages _____
- ☐ the claims, Nos. _____
- ☐ the drawings, sheets/figs _____
- ☐ the sequence listing (*specify*): _____
- ☐ any table(s) related to sequence listing (*specify*): _____

4. ☐ This report has been established as if (some of) the amendments annexed to this report and listed below had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).

- ☐ the description, pages _____
- ☐ the claims, Nos. _____
- ☐ the drawings, sheets/figs _____
- ☐ the sequence listing (*specify*): _____
- ☐ any table(s) related to sequence listing (*specify*): _____

* If item 4 applies, some or all of those sheets may be marked "superseded."

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No.
PCT/CN02/00577

Box No. V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement:

Novelty (N)

Claims 1-3

YES

Claims

NO

Inventive step (IS)

Claims 1-3

YES

Claims

NO

Industrial applicability (IA)

Claims 1-3

YES

Claims

NO

2. Citations and explanations (Rule 70.7)

D1: US 5 734 995A,

D2: US 6 079 054A

D1 discloses a swimming goggles, which includes two lens frames, two lens units, a nose bridge, two gasket units, and a head strap. The lens frames, the nose bridge and the gasket units are made from a semi-rigid material with appropriate flexibility, thereby permitting integral fabrication (see column 1, line 11-48, Fig. 2).

D2 discloses a integrally formed swimming goggles, which includes two lenses, two padding members, a bridge, and a strap. The lenses, the padding members, and the bridge are integrally formed by a material that is transparent and flexible (see column 2, line 10-22, Fig. 1).

Claim 1 is different from D1 and D2 in which the lenses and the frames are moulded integrally by a high rigid PC and a silica gel material.

D1 and D2 does not render any suggestion to the skilled person to provide the technical proposal.

Thus, a goggles for swimming or diving or surfing and a manufacture method thereof according to claim 1 are novel, involves an inventive step, and can be manufactured.

Accordingly, Claims 1-3 meet the criteria set out in PCT Article 33(2)-(4), because the documents cited in the international search report neither disclose nor fairly suggest the subject-matters of independent claims 1 and their dependent claims 2-3.